United Nations CEDAW/C/TLS/Q/2-3/Add.1

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
25 June 2015

Original: English

Committee on the Elimination of Discrimination against Women
Sixty-second session
26 October-20 November 2015
Item 4 of the provisional agenda*
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined second and third periodic reports of Timor-Leste

Addendum

Replies of Timor-Leste**

[Date received: 25 June 2015]

Note: The present document is being circulated in English, French and Spanish only.

* CEDAW/C/62/1.

** The present document is being issued without formal editing.

15-10525 (E) 220715

Please recycle

Constitutional, legislative and institutional framework

Please provide information on measures taken to adopt anti-discrimination standards, in both legislative and policy frameworks, which define and protect against direct and indirect discrimination against women. Please also provide updated information on the progress made in adopting the laws on traditional justice, on the regulation of mediation and on gender equality.

1. Regarding the adoption of anti-discrimination standards in legislative frameworks, the Constitution, which is superseding the hierarchy of the legal framework of laws, norms and standards, provides guarantees against discrimination regarding both men and women in its articles 16 with regard to universality and equity, and 17 regarding specifically equality between men and women. As the definition of although provided in the Constitution, the Supreme Court of Justice has not yet been established. Until it is created and staffed; the Court of Appeals is taking on the duties of serving as the highest court. According to the article 126 of the Constitution, "It is incumbent upon the Supreme Court of Justice — currently the Court of Appeals -, on legal and constitutional matters: To review and declare the unconstitutionality and illegality of normative and legislative acts by the organs of the State". As the Court with the final decision making authority on questions presented in lower courts, the Court of Appeal is taking on the duty of ensuring that the law is interpreted and enforced in a consistent manner across the country. It acts as the administrator of justice on not only issues arising from laws of Timor-Leste, but also from constitutional issues. Certainly, when the case before the Court of Appeals addresses the violation of the Constitution of Timor-Leste by a newly enacted law, the Court will rule on whether the law meets constitutional requirements.[1]

2. According to the principle of legality provided in article 2.2 of the Constitution the obligation not to apply unconstitutional rules extends to all courts. Consequently, even the lower courts cannot, under this article, apply rules they deem unconstitutional. Raised to be the unconstitutionality incident, the trial judge will have to solve the "issue of (un) constitutionality." This is the corollary of the principle of constitutionality, provided for in art. 2, n. 2, of the Constitution, which binds all organs of sovereignty. The constituent option for a diffuse system of review of unconstitutionality of the law requires that all courts are obliged to meet the constitutionality of the laws that they apply. The doubt about the constitutionality of the law applicable to the case can be raised by any of the parties or even known ex officio by the court. Completing the compliance to the standard of the Constitution, it will be applied to the case, otherwise the court would refuse to apply it on the grounds of unconstitutionality. Either of these decisions in accordance with art. 152, n. 1, a) and b) may be appealed to the Supreme Court — currently Court of Appeal -, reserving the constitutional authority ultimately pursuant to art. 126, n. 1, d). Further its competences, to know ultimately the constitutionality of the rules (art. 126 of, n. 1, a) and d)), the Supreme Court — currently Court of Appeal — concentrates the review of unconstitutionality of cases of legislative omission (art. 126 of n. 1, point c), and Art. 151) and the preventative

[1] An introduction to constitutional law in Timor-Leste', Stanford Law School, The Asia Foundation and USAID, p. 106.

control (Art. 126 n. 1, b) and Art. 149), which allows the characterization of the Constitution constitutionality control system as mixed.[2]

3. On the policy side, as the Government is committed to the principle of equality between men and women, recognized in Article 17 of the Constitution of the Democratic Republic of Timor-Leste and continues to strengthen gender mainstreaming in the design, analysis, execution and monitoring of policies, programmes and legislation at national and local levels, the Government Resolution No27 / 2011 of 14 September 2011 approving the establishment of the Working Group mechanism for Gender National and District level, as already mentioned in the Combined Second and Third Periodic Report, has been a milestone for the integration of a gender perspective in the development of strategies, policies, programs and legislation and prevent discrimination against women.

4. Furthermore, in 2015 SEM (Secretary of State for the Socio-Economic Empowerment of Women — ex-SEPI), with UN Women's support, analysed 41 Annual Action Plans (AAP) from selected line ministries and secretaries of state, and provided recommendations on how best to incorporate gender perspectives and CEDAW COs through Gender Equality Checklists. Similarly, the comments provided by SEM at the budget review committee, were a practical guidance to government institutions on integrating gender into specific sectors in compliance with CEDAW. As a result, 28 State institutions (12 Ministries and 16 Secretaries of State) included Gender Equality activities in their 2015 AAP. For example, after receiving feedback from SEM during their budget review committee, the Ministry of Justice included WHR-based legal reviews for legal drafters in its AAP.

5. Regarding the traditional justice law, the Ministry of Justice (MoJ) is currently still working on the final review on the research so that in a short period of time, it can establish and produce a new draft of the law. The new draft law on traditional justice law will focus more on how to integrate or recognize the traditional justice within the formal justice system. However, this is only a basic idea which will be discussed further.

6. The draft law on regulation of mediation is currently in a final revision process and is hoped to be presented at National Parliament for vote before the end of the year. Both draft laws on traditional justice and regulation of mediation are considered as strategic pieces of legislation by the new government in its justice sector reform policy.[3]

7. Important to note that a Legal and Gender Working Group was established in 2012 as part of the Land Law drafting process and includes legal drafters from the Ministry of Justice (MoJ) as well as CSOs which are part of the Land Network (Redeba Rai). It has made a significant contribution to engendering various crucial draft laws, by reviewing and providing comprehensive recommendations on compliance with CEDAW and other human rights treaties.

8. [No updated information regarding the Gender Equality Law since the finalization of the last CEDAW Report.]

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[2] Pedro Carlos Bacelar de Vasconcelos, 'A Constituição Anotada da República Democrática de Timor-Leste', October 2011.

[3] MoJ Response to CEDAW Committee list of issue, June 2015.

Please provide information on steps taken to institute regular training for the judiciary on the Convention and the Optional Protocol thereto, the general recommendations of the Committee and the State party's obligations, in the light of the information provided in the reports (CEDAW/C/TLS/2-3, para. 60). Please also provide information on how the State party is enhancing the awareness and knowledge of women, in particular rural women, women with disabilities and older women, about their rights under the Convention, including the complaint procedure, and relevant national legislation. Please also provide information on cases in which the provisions of the Convention have been invoked in court.

9. A set of training modules on women's human rights for the legal training centre (LTC) was prepared for the purpose of providing the Legal Training Centre of the Democratic Republic of Timor-Leste with materials that may assist its trainers in the instruction of magistrates, prosecutors, public defenders and private lawyers on human rights, especially women's human rights. This set of training modules was prepared with the support of UN Women, Timor-Leste. Parts of these modules were tested in two separate training workshops on women's human rights held on June 2-6 and 9-13, 2014 in Dili, with magistrates, prosecutors, public defenders and private lawyers as participants and with three international facilitators.[4]

10. Between 2012 and 2013 over 3.000 persons have been specifically trained on Gender Based Violence including DV through the implementation of the NAP-GBV, but excluding any other conventional rights as such.

11. As provisions of CEDAW and other legal instruments on human rights ratified by Timor-Leste have been incorporated into the local legislative framework, for instance as it is stated in the preamble of the Law Against Domestic Violence (LADV), CEDAW is regularly invoked in the court system during trial, especially for cases of domestic violence.[5]

Access to justice

Please provide updated information on the implementation of the witness protection law (Law No. 2/2009) and the status of the draft customary law, addressing harmful practices such as the payment of dowries, as well as on the impact on women's rights of the use of traditional justice systems to resolve cases of domestic violence (para. 127). Please indicate steps taken by the State party to establish clear procedures for filing complaints of sex-based discrimination, to provide adequate sanctions for such discrimination and to ensure that effective remedies are available to women whose rights have been violated, as previously recommended by the Committee (see CEDAW/C/TLS/CO/1, para. 18). In the reports it is stated that the Office of the Ombudsman for Human Rights and Justice investigates complaints of discrimination (para. 5). Please provide information on the financial and human resources allocated to the Office.

[4] Training modules on women's human rights for the Legal Training Center (LTC) Curriculum, Timor-Leste p.1-2.

[5] Interview with Sra Jacinta Coreia, Judge to the Dili District Court, June 2015.

12. The Witness Protection Law has not yet been implemented because the necessary financial and material means for its implementation haven't been reached yet. Implementation also requires awareness raising and introduction in the community, material resources and appropriate funding. The State acknowledges the need to ensure the necessary conditions to implement the Law on Witness Protection which has not yet been done even though it entered into force in 2009.[6]

13. However, Law no.2/2009 on Witness Protection is still considered as an important piece of law in the justice sector. The MoJ has released a ministerial order in 2014 to establish a "Security Special Programmes Committee", according to the law. The composition of the committee comprises a representative of the MoJ (which is the president and secretary), representative of the judiciary, representative of the public prosecutor, one representative from the Secretary of State for Security (PNTL) as well as a representative from PDHJ (Ombudsman). This committee has already organized a meeting to discuss the functioning of the Committee including its work plan and budget. In addition, the National Directorate of Human Rights and Citizenships (DNDHC) within the MoJ, already started to disseminate the Witness Protection Law to the communities in rural areas.[7]

14. As already stated above, MoJ is currently still working on the final review on the research for the draft traditional law so that in a short period of time, it can establish and produce a draft of the law. The draft law on traditional justice law will focus more on how to integrate or recognize the traditional justice within the formal justice system. However, this is only basic ideas which will be discussed further.

Since GBV is one of the main sex-based discrimination experienced by women in Timor-Leste, focus has been made by the government on specific and clear procedure and sanctions for violence against women through the development of the NAP-GBV and the Standard Operating Procedures (SOPs) to strengthen victim support services and the service providers' referral network at the national and district levels, led by the Ministry of Social Solidarity.

15. In order to fulfil its two-fold mandate in the areas of human rights and good governance, PDHJ is operating with 95 permanent staff with the plan to recruit 8 more before the end of the year. Out of this number, 20 are assigned in the 4 regional offices (Oecusse, Maliana, Baucau and Same). Following the general trend of the overall State budget in the recent year, a decrease in the PDHJ's budget can be observed, from 2.180.000 USD in 2013 and 1.512.000 in 2014 to 1.411.000 in 2015. However, PDHJ also beneficiates of the assistance of various partners such as UNDP and Ausaid for human resources and institutional capacity building in regard to various topics such as M&E, human rights, creation of SOP for each activity, and others.[8]

According to information received by the Committee, barriers to women's access to justice include the low number of district courts; lenient sentences for perpetrators of domestic violence; limited protection afforded to witnesses; limited access to legal aid; and the departure of international judges and prosecutors following parliamentary resolution No. 11/2014 and governmental resolutions No. 29/2014 and No. 32/2014. Please provide information on

[6] JSMP, 'Overview of the justice sector — 2014 Annual report', p. 47/48.

[7] Response from the MoJ to the CEDAW Committee list of issue, June 2015.

[8] Interview of Dr Silverio Pinto Baptista, Ombudsman of Human Rights and Justice, June 2015.

measures taken to enhance the infrastructure and quality of the formal justice system and to promote women's access to justice, especially in rural areas.

16. The government of Timor-Leste is fully aware that the right to access legal assistance is a cornerstone to the rule of law. It is well understood, and accepted within the Government that legal assistance is an overarching necessity to ensure the respect of the individual's equality rights before the law together with the right to a fair trial. Thus, number of measures has been taken by the government to improve the overall judiciary system in Timor-Leste. First of all the MoJ has planned to open two new Public Defender's Offices (OPD) in 2015 in the two municipalities of Bobonaro and Ermera. In this view, the Legal Training Centre continues to operate and to train magistrates, Public Defenders as well as private lawyers in order to address the need of qualified judges. Furthermore, the departure of international judges and prosecutors didn't really affected domestic violence cases as most of them were competent for serious crimes, to try serious violations of human rights during the conflict more than domestic violence cases. In addition, international judges were also always part of a panel of judges and never practiced as singular judges. Thus, the procession of GBV cases hasn't been much affected by this decision.[9]

17. The MoJ is leading a technical working group composed of judges, prosecutors, Public Defenders as well as legal advisors of the ministry whose duty is to study the ways and means to increase the number of district courts within the present organization of the judiciary system and reach more municipalities.

18. The Public Prosecutor is operating from number of district delegations which have been created in the municipalities of Ermera, Viqueque and Bobonaro. It is planned to further extend the network of Public Prosecutor's delegations in other municipalities in the coming years. Furthermore the Public Prosecutor has also established, within the Dili District Prosecutor offices, a new division specialized in addressing the cases related to children and family issues.[10]

19. In this view, with the support of the Justice System Program setup in coordination with UNDP, the government is working in improving the overall outreach capacity of the OPD and the judicial system. As rural and remote communities often feel isolated from the formal justice system, the justice sector has setup a system of 'mobile courts'.[11] These mobile courts became very popular since they proved to be an efficient way of bringing justice closer to the people. The mobile court system was first introduced in 2008 and progressively expended in 4 districts — Ainaro, Manufahi, Bobonaro and Covalima, which were considered to be geographically large, making it difficult for the populations in remote locations to have access to justice.

20. In February 2014, the Vice Minister of Justice stipulated that between 2010 and 2013 the mobile court system has been able to process 280 cases in remote areas and approximately 2000 or more people benefitted from its services. The mobile courts have held their hearings either in the sub-district PNTL buildings or in local administration offices, or in some public places located near the market

[9] Interview of Sra Jacinta Coreia, Judge to the Dili District Court, June 2015.

[10] Response of the Ministry of Justice to the list of issues of the CEDAW committee, June 2015.

[11] JSMP, 'Access to Justice in Timor-Leste: The welfare of judicial actors and capacity of legal institutions'.

where the local PNTL do ensure the security. The mobile courts in the districts, sub-districts and at the village level are always accompanied by the local police.

21. Despite the many challenges faces in its implementation, the mobile court programme has proved to be a positive step demonstrating a close cooperation between the Police, the Public Prosecution Service, the Office of the Public Defender, private lawyers and the courts which ensures that the justice system is fair and effective while bringing justice close to the people and contributing a lot in reducing the number of pending cases.[12]

22. On top of this, thanks to the mobile court system, the participants are in an actual position to observe the true trial process and pass on information about what they see, hear and feel during the trial to their fellow citizen in their village. Thus it is also addressing the public perception that justice is expensive and only the rich can have access to the courts. But since the mobile court comes to their place of residence the costs in terms of energy, time and money is considerably reduced making the justice accessible to anyone anywhere in the country.[13]

23. The increasing number of Timorese who turn to the mobile court system to resolve their disputes and to report crime since its implementation is a clear indicator of not only an increased interest, knowledge, awareness of the formal justice system but moreover a real confidence in its fairness and efficiency by the local communities.[14] Now, more efforts in human and financial resources are needed to improve the mobile court system to keep increasing its geographical outreach and reduce the backlog of cases within the 4 districts courts which are already overstretched.

24. Likewise to further strengthen the accessibility of all individuals to proper legal services and protection of their rights against the State, a new option to lodge a complaint to PDHJ either by internet or directly to the main office, the regional offices of PDHJ or by phone has been setup and advertised for as follows: "You can complain to the PDHJ if you believe you have had your human rights infringed by a decision of, or staff member from, government or a state authority."[15] In addition, to further inform the population. PDHJ socialization sessions about human rights are regularly held in various places of the country.

Stereotypes

Please provide information on steps taken to develop a comprehensive strategy to modify or eliminate cultural practices and stereotypes that discriminate against women, addressing women and men, girls and boys, religious and community leaders, parents, teachers and officials, in collaboration with civil society, in particular women's organizations.

25. The collaboration between the government and the National Parliament with civil society in particular the women's organizations was strengthened in the past two years. In this respect an NGO GRB working group which did reunite women's

[12] JSMP, 'Overview of the justice sector — 2014 Annual report', p. 22.

[13] Ibid, p. 23.

[14] Suai Judge Administrator, Judge Constancio Barros Basmery, Justice System Programme — UNDP, 'National Institutions to take over mobile justice', Feb. 2013.

[15] PDHJ website: www.pdhj.tl.

NGOs and non-traditional partners such as transparency NGOs was created. The Commission F of the National Parliament in charge, inter alia, of equality and the elimination of discrimination did establish regular meetings with the working group to improve its capacity in monitoring gender-responsiveness of the state budget.

26. Specifically with regard to the elimination of stereotypes and discrimination against women, this collaboration together with the advocacy from the ex-SEPI through the Gender Working Groups in the various line ministries, led to the inclusion in 2015 of notions of the Law against Domestic Violence within the curriculum for secondary school and above in application the LADV.[16] As domestic violence is often considered as a private matter that should be resolved in a private way, the inclusion of LADV notions within the regular curricula at school is a great achievement.

27. Under the coordination of the Rede Referral, in application of the National Action Plan (NAP) against GBV, a manual was developed and trainings were given to students by various government and non-government organizations in various districts (Dili, Viqueque and others) with the main objective to encourage students to develop their critical thinking ability regarding gender social constructed roles within society and its impact on GBV. Through these trainings students' knowledge and awareness about gender, power relations in patriarchal system and GBV are increased. Journalists from community radios were also trained based on this critical thinking manual.[17]

28. To reach remote communities in the fight against stereotypes, especially concerning violence against women, the members of the referral network, including government and non-government organizations together with the judicial actors, implemented number of sensitization programmes through national and community radios regarding various topics such as human right and GBV.[18]

29. At the government level, thanks to the lobbying work of the ministerial Gender Working Groups, ministries are already working for the promotion of women for human resources at all level and chief level within the ministries and all government agencies not only for the recruitment, but also for the trainings and attribution of scholarships. This is the case for instance within the newly called SEM (Secretary of State for the Support and Socio-Economical Promotion of Women — ex SEPI) as already mentioned in the report with about 60 per cent of women, but also within the strategic Ministry of Petroleum and Mineral Resources (MPRM) for instance with about 67 per cent of women out of which 4 women held a chief position. MPRM dependant agencies try to follow the same trend with 35 per cent of women and 3 women in chief position within the National Petroleum authority; or 29 per cent women and 2 women in chief position within the Timor GAP E.P, the national oil company of Timor-Leste.

30. Moreover, since the onset of the attribution of scholarships by MPRM in 2008, special attention was given for the inclusion of women. Thus, 195 women did benefit of scholarships in foreign and high standard universities in Australia, India,

[16] UN Women 'Advancing gender equality: promising practices Case Studies from the millennium development goals Achievement Fund' — Report of the Joint Programme: Timor-Leste: Supporting Gender Equality and Women's Human Rights in Nation-building of Timor-Leste, 2013, p. 50.

[17] 2013 National Action Plan report, SEPI.

[18] Ibid.

Malaysia and Indonesia in areas where women are usually under represented such as engineering, petrol, environment, geophysics, and chemical technicians, geography and aircraft pilot. These efforts of the government to promote women in such technical areas are actually contributing to the fight against stereotypes.[19]

Violence against women

In the reports, the challenges faced by the Vulnerable Persons Unit (VPU) in investigating gender-based violence are acknowledged (para. 96). Please provide information on steps taken to ensure that the district units of VPU are sufficiently funded and equipped and have adequately trained staff, that the composition of their workforce reflects a gender balance and that police officers serving in VPU are assigned for long periods, as envisaged in the National Action Plan on Gender-based Violence. According to article 24 of the law against domestic violence (Law No. 7/2010), VPU is required to refer cases of domestic violence to the Office of the Public Prosecutor within five days of receiving a complaint. How many of the cases reported to VPU have been transferred in accordance with that timeline? Please also provide information on measures taken to prevent delays in prosecuting individuals accused of violence against women, including domestic violence, as well as measures to protect victims where sentencing has been suspended.

31. The VPU consists of a national coordinating unit with one commander and two officers, and each district units is staffed with 6 or 7 officers (89 district officers in 13 districts in 2012).[20] In the 2015 general budget of the State, 28.000 USD were allocated to the VPU for the 13 districts (2.000 USD per districts). Out of this budget, 500 USD per district are allocated to the assistance of GBV victims. With respect to the improvement of the working conditions the NVPU has been attributed a 76.000 USD budget in 2015 dedicated to operational transport in order to facilitate GBV victims assistance.[21] VPU also beneficiated in the past of the assistance of the MDG achievement fund for the improvement of work abilities through trainings as well as material condition through the provision of vehicles (15 for 2012).[22]

32. As recalled by the CEDAW Committee, and although it was clearly identified and planned in the NAP-GBV, the frequent rotation of officers within VPU and the need to keep building capacity and resources to respond efficiently to GBV cases according to the established standards, is still currently identified by the VPU chief as one of the main issue. On the positive side, GBV investigation training has recently been institutionalized in the Police Training Centre. Twenty-one selected police officers from different districts, including the head of NVPU, participated in a joint Training of Trainers session on GBV investigation and received training on a

[19] MPRM response to CEDAW Committee list of issue.

[20] Interview with VPU chief — Sra. Daria Ximenes, Dili, 6 of April 2015.

[21] VPU Response to CEDAW Committee list of issue, June 2015.

[22] UN Women 'Advancing gender equality: promising practices Case Studies from the millennium development goals Achievement Fund' — Report of the Joint Programme: Timor-Leste: Supporting Gender Equality and Women's Human Rights in Nation-building of Timor-Leste, 2013, p. 50.

very broad range of issues related to GBV and human trafficking once the GBV investigations manual was finalized under UNFPA coordination.[23]

33. In 2015, according to the PNTL-VPU statistics, 203 cases domestic violence crimes were recorded from January to March without counting Oecusse district's statistics (still missing at the date of writing). 96 cases were recorded in the municipality of Dili, 23 in Viqueque, 12 in Ermera and 11 in Baucau. These figures include both violence against women and violence against children. Out of this number of 203 cases, 6 were directly solved by the VPU agents, 2 cases were solved within the family and finally 195 were transmitted to the office of the public prosecutor.[24]

34. Regarding the suspended sentences issue, an established procedure to protect victims specifically where sentencing has been suspended beyond the normal protection provided to victims of domestic violence through shelters and temporary and transitional houses (*Uma Mahon/fatinhakmetek*) as provided in the NAP-GBV. Regarding the assistance to victims, VPU is working in close collaboration with civil society organizations (such as Pradet and Fokupers) for the assistance of victim and process to their physical and mental examination without delay. On the judicial side, VPU is also working in close collaboration with Community Police Units and Tribunals to facilitate victims in filling complaints in accordance with the legal timeline. Finally, VPU is also providing assistance to victim for their reintegration in the family.[25] In addition, on the judiciary side, the penal code provides for possible rules of conduct to be followed by the perpetrator in case of suspended sentence which are meant to facilitate his social reintegration and change his conduct and protect the victims. The monthly self-presentation of the convicted to the police is always applied.[26]

According to information received by the Committee, 71.3 per cent of domestic violence cases during the period 2010-2013 were charged under article 145 of the Penal Code and 53 per cent of the sentences handed down under article 145 were suspended. The Penal Code provides for the possibility to add certain conditions to a suspension. In how many cases of domestic violence where suspended sentences were imposed were specific conditions applied? In how many cases of domestic violence did courts order compensation for the victim? Please also provide information on the progress made in establishing additional shelters (para. 90) and in ensuring that there is a sufficient number of safe and adequately funded shelters in all districts, in particular for women who are victims of domestic violence, including rural women and women with disabilities. What measures are being taken to address the heightened risk for women and girls with disabilities of becoming victims of violence and to ensure that they have access to justice and adequate support services?

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[23] UN Women 'Advancing gender equality: promising practices Case Studies from the millennium development goals Achievement Fund' — Report of the Joint Programme: Timor-Leste: Supporting Gender Equality and Women's Human Rights in Nation-building of Timor-Leste, 2013, p. 43.

[24] PNTL-VPU response to the CEDAW Committee list of issues and PNTL/VPU statistics, May 2015.

[25] VPU response to CEDAW Committee list of issues, June 2015.

[26] Interview with Sra Jacinta Coreia, Judge to the Dili District Court, June 2015.

35. As stated above, the specific condition to suspended sentences almost systematically applied to most of cases is the monthly self-presentation of the convicted perpetrator to the police. The other conditions provided by the penal code are applied depending on the case and judges apply conditions that are more suitable to the case and the perpetrator.[27]

36. With regard to domestic violence victims' protection and progress in establishing shelters, the Ministry of Social Solidarity (MSS) provides financial assistance to NGOs running shelters for women victims and temporary and transitional houses in the districts according to the "Technical Orientation for the establishment of shelters/temporary and transitional houses" ("*Orientasaun TeknikaatuEstablese Uma Mahon*") initiated by MSS in 2012. The assistance was distributed among several NGOs running Uma Mahon in 10 districts as per the following table:[28]

Uma Mahon/NGO	*District*	*Budget*
Social Centre Imaculada Conceição	Lautem	USD 10.000
Integral Training Centre for youth and children	Manatuto	USD 10.000
Orphanage Lar St. Teresinha	Baucau	USD 10.000
Holy and Eucharistic Centre Madre Trinidade	Viqueque	USD 10.000
Community Centre Teresa Saldanha	Aileu	USD 10.000
Orphanage Lar do Bom Samaritano	Ermera	USD 10.000
Nossa Senhora de Fatima Centre	Oecussi	USD 10.000
Chega! Ba ita Association	Dili	USD 29.574
Alola Foundation	Dili	USD 33.623
Uma Mahon Fokupers	Dili and other districts	USD 143.325
Youth Communication Forum	(FKJ)	USD 75.240
PRADET	Dili	USD 16.324
Uma Mahon Salele	Covalima	USD 22.552
Casa Vida	Dili	USD 75.404
Uma Mahon FPWO	Oecussi	USD 17.470
Uma Mahon Paz	Baucau	USD 15.000
RedeFeto	Dili	USD 22.872
Uma Mahon Luzeiro	Lautém	USD 18.177
Uma Mahon Maria Tapo	Maliana	USD 31.598

[27] Ibid.

[28] 2013 Report on the implementation of the National Action Plan against DV/GBV p.26/27.

37. The MSS did also recruit one GBV focal point in 2013 assigned in each of the 13 districts to give particular attention to DV/GBV victims and provide care as well as social, health, legal and economic assistance in coordination with other members of the Referral Network for GBV.[29]

38. Through the implementation of the NAP-GBV, the Ministry of Health (MoH), supported the establishment of four safe rooms (fatinhakmetek) run by a civil society organization in four different hospitals namely, the National Hospital of Guido Valadares in Dili and the referral hospitals of Oecussi, Suai and Maliana, each one being staffed by 4 to 5 professionals such as nurses and psychiatrists, for a total of 14 staff.[30]

39. Furthermore, the original Medical Forensic Examination Protocol (MFP) endorsed by the National Institute of Health (MoH) adopted in 2010 was recently improved in collaboration with civil society organizations and the assistance of the AusAID Justice Facility, UNFPA and the MDG Fund. Thus, 20 midwives and doctors from five hospitals in five districts (Oecussi, Suai, Baucau, Maliana, and Maubisse) have been trained in the use of the MFP and graduated in April 2012, which allowed the provision of medical forensic examination in rural area. This is a major breakthrough since there is no more need to bring the victims to Dili for examination as it used to be before 2012. Now that 20 nurses, midwives and doctors have acquired this knowledge and that new safe rooms have been established, it is expected that an increased number of survivors will be able to undergo this examination according to the national recommendations. This, in turn, will support the efforts of the Office of the Prosecutor to proceed to trial, relying now on solid physical evidence and not only on witness testimony.[31] These safe rooms throughout Timor-Leste cared 205 victims (including men) in Dili, 79 (including 5 men minors) in Oecusse, 45 in Suai (including 5 men) and finally 21 in Maliana (including 1 male) only for 2013.[32]

40. In the reporting year the government continued strengthening the implementation of the National Action Plan on Gender Based Violence (NAP-GBV) and the Law on Domestic Violence (LADV). Some results were identified via a positive increase in NAP commitments and actions incorporated into the 2015 Annual Action Plans (AAPs) of the ministries and other state institutions, as compared with the 2014 AAPs. Many Ministries responsible for implementation of NAP-GBV have included specific actions and measures to enhance implementation of their commitments in 2015. For example, the Ministry of Education's AAP included the incorporation of human rights, gender equality and conflict resolution skills in the new primary school curriculum (see education section) while MoJ has included public outreach in all districts to raise awareness about the Law on Domestic Violence and procedures for making complaints.

41. [There was no particular measure taken yet to address the specific needs and heightened risk for women and girls with disabilities to become victim of violence above the general measures against GBV included in the NAP-GBV.]

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[29] MSS response to the CEDAW Committee list of Issues.

[30] 2013 Report on the implementation of the National Action Plan against DV/GBV p.26/27.

[31] Ibid.

[32] Dr Bu V.E. Wilson, 'Justice Sector Support Facility (JSSF) Monitoring report — Case Study 1: FatinHakmatek, the Referral Network and the Medical Forensic Protocol', January 2014, p. 2.

Trafficking

Please provide information on the current status of the bill for the prevention, suppression and punishment of trafficking in persons and the National Action Plan on Human Trafficking. Please also provide information on the number of investigations and prosecutions in cases of trafficking and on the sentences imposed on traffickers, as well as on the appeal in the case cited in the reports (para. 153). Please describe any prevention efforts undertaken, including awareness-raising and capacity-building, for the early identification and protection of victims of trafficking and for the provision of rehabilitation and reintegration services.

42. As of today, the new draft law for prevention, suppression and punishment of trafficking was finalized in March 2014 and referred to the Council of Minister. The recent reshuffle of the government following the Prime Minister resignation has considerably disrupted the parliamentary process and had a specific impact on the passing of the law causing new delays in its adoption by the Parliament. Expectations from the MoJ are for the law to be passed by the Parliament before the end of the year. According to the provisions of this bill, a National Commission against Human Trafficking is to be created with the main objective of establishing an adequate National Action Plan on this issue.

43. With reference to the 2014 annual information for the cabinet of the General Prosecutor of the Republic, there was no process of indictment based on the crime of trafficking in Timor-Leste.[33]

44. On the prevention side, the MoJ in collaboration with line ministries and in good faith with civil society enhanced communities' knowledge on the issue at the occasion of penal code socialization sessions as well as through the dissemination of pamphlets, posters and other materials. In addition, the MoJ took part to the CPLP Ministries of Justice Conference and signed an Agreement on how to prevent and combat human trafficking crimes within CPLP nations.[34]

Participation in political and public life

The State party acknowledges that women face numerous barriers to participation in political and public life (para. 172). While the representation of women in Parliament has increased from 25 to 38 per cent since 2009, their participation in high-level government positions (as ministers, vice-ministers and secretaries of State) has increased only slightly, from 18 to 20 per cent, since the latest restructuring of the Government. Please provide information on measures taken, including temporary special measures such as quotas and awareness-raising on the importance of the full and equal participation of women in leadership positions, to overcome such barriers and promote the equal representation of women in political and public life, including at the local level.

45. Aware of the numerous barriers to women's participation in political and public life, especially at local level, the government is taking advantage of a major political reform through the new decentralization process under the responsibility of the Ministry of State Administration (MAE — *Ministerio da Administraçao Estatal*)

[33] Ministry of Justice's response to CEDAW Committee list of Issues, June 2015.

[34] Ibid.

in charge of reform and supported by the newly called Secretary of State for the Support and Socio-economic Promotion of Women (SEM — ex SEPI).

46. Indeed, the Local Governance Support Programme (LGSP) support in the area of Policy Development for Decentralization and Local Governance resulted in the approval of the Decree Law on Integrated District Development Planning (*Planeamentu Dezenvolvimentu Integradu Distrital* — PDID) led by the Ministry of State Administration. This programme pays particular attention to women's participation in public and political life at the local level. The plan defines and regulates the rules on jurisdiction, planning, implementation and funding for state infrastructure projects implemented at municipal and administrative post levels and imposes at least 1 woman out of 3 in leader position at administrative post level.

47. MAE intends to promote women at chief level like National Director, advisor, department chief, Municipal Secretary Administrator, Post Administrator or STAE coordinator. In present days, women at chief level represent about 15 per cent of the overall MAE staff. Strong attention to women applications is given this year (2015) in the recruitment of the 300 new staff assigned to the implementation of the decentralization programme, but also for the training of the staff and the attribution of scholarships.

48. In parallel to the administrative reform, an awareness raising and sensitization campaign as well as trainings supported by the government through SEM and conducted by various NGOs entitled "*100% HauProntu*" ("100% ready") with main objective to identify 100 potential female candidates willing to participate in the upcoming 2015 Suco Elections (Chief village and village council elections), to build the participants' capacity to engage in the campaigning process and leadership roles in a successful, effective and sustainable manner and finally to encourage people to vote for women led by a women to become village chief.

49. Focuses are on the importance of women taking on political and leadership roles at all level by sharing the good practices and lessons learned from previous elections and linking future female candidates with elected female representatives and Suco leaders to learn from their experiences. The campaign through regular meetings and workshop will identify any gaps in the candidates' knowledge and confidence, and work to develop the candidates' capacity in response to these needs, as well as to develop strong election and campaign strategies.[35]

50. As part of the NAP GBV were also implemented various workshops and regular meetings between government represented by (ex) SEPI and MSS together with national and international NGOs with various objectives such as women empowerment, economic dependency and support women's participation in politics. These workshops intended to raise attention of community and religious leaders to the issue of women's participation in political and public life at local level and encourage women to take part to the national development process starting from suco to national level.[36]

[35] NGO Women Caucus for Politics and SEM, '100% HAU PRONTU: National Workshop to Identify 100 Potential FemaleCandidates for Suco Election — May 28th-29th 2015', 26th of May 2015.

[36] 2013 NAP GBV Report, p. 7/GCA p. 97.

Education

Please provide updated information on steps taken to address the specific concerns expressed by the Committee in its previous concluding observations (CEDAW/C/TLS/CO/1, para. 36) and that the Committee considered either to not have been implemented or to have been implemented only partially or in regard to which it considered that it did not receive sufficient information, in accordance with its follow-up letter of 19 March 2013. According to information received by the Committee, only 65 per cent of schools in the State party have toilet facilities and only 38 per cent have toilets that regularly function with water and many girls leave school when they begin menstruating owing to the lack of adequate sanitary facilities. Please indicate whether the implementation of a gender-sensitive sanitation policy in schools has been considered and whether other steps have been taken to ensure adequate sanitary facilities in schools, especially for girls.

51. The MoE has incorporated gender-related goals into the national education strategic plan as part of a social inclusion policy. A comprehensive plan for gender equality has been developed, but more efforts are needed for its successful implementation. Key components are to promote girls' participation in secondary and higher education, as well as to substantially increase the number of women teachers. The MoE aims to use scholarships and other incentives to attract women from rural areas to attend pre-service teacher training in urban centres. Other gender-related initiatives include:

- increasing gender awareness of staff,
- establishing procedures to eliminate gender-based violence in schools,
- developing a scholarship program to increase the number of girls in secondary and tertiary education,
- reviewing curricula at all levels to ensure "gender friendliness," and
- increasing the number of women who benefit from scholarships to study abroad.[37]

52. The Ministry of Education (MoE) conducted in 2013 a survey, in partnership with the Statistics Directorate General of the Ministry of Finance, which allowed to complete the current data from the Information System and Management Education (EMIS), in particular in regards to the conditions of classrooms, chairs and tables, sanitary facilities, and access to water and electricity to all pre-schools, primary schools and general secondary, technical and vocational schools.

53. As a consequence, the MoE could prioritize the rehabilitation or the construction of facilities that respond to the basic needs of students. Thus in 2014, the MoE rehabilitated 311 primary and secondary schools through its Community assets' National Program (*Programa Nasional Patrimonio Komunitário*) led by the National Development Agency (ADN — *Agência de Desenvolvimiento Nasional*). Through the same programme, 19 secondary and 123 pre-secondary schools were identified to be rehabilitated in 2015.[38] It is accepted by the MoE that the

[37] 2014 Country Gender Assessment, Asian Development Bank, Secretary of State for the Promotion of Equality and UN Women.

[38] MoE response to CEDAW Committee list of issues.

improvement of toilet facilities will foster girls' retention at school when they start menstruating.

54. Furthermore, as a consequence of SEM comments during the 2015 budget review committee, MoE also included in its 2015 AAP an activity to provide transport for children to and from schools in 3 Municipalities which is a positive step for the security of students on the way to school.

In the reports it is stated that the main reason why girls drop out of school is because they become pregnant and because of traditional beliefs regarding girls' education, poor performance in final exams, poor health and, in rare occasions, sexual violence (para. 192). Please provide information on measures taken to address those obstacles, including the implementation of policies that enable young women to return to school after pregnancy, as recommended by the Committee in its previous concluding observations (CEDAW/C/TLS/CO/1, para. 36).

55. Although a thorough study was conducted by the Gender Unit of the MoE, in partnership with the Ministries of Health (MoH) and Social Solidarity (MSS) as well as the (ex-) SEPI, to identify the impact of teenage pregnancy on dropout in secondary schools and supposed to inform policy for reintegration of young mothers in secondary schools, the recommendations of the study were not yet fully implemented by the Ministry.

56. However, regarding the re-entry mechanism at school after drop-out for both men and women, efforts were made on this issue to respond to the CEDAW Committee's Concluding Observations, especially for girls to return to school. Currently re-entry policy for girls, especially for those who drop out after pregnancy is facilitated through recurrent education, transfer to a different school, extraordinary exams (individual exam in a separate place) for those who are in their final year. Since 2010 until today MoE facilitated re-entry for students who missed school because of various reasons such as (sexual) violence, pregnancy and other reasons.[39]

In the reports it is indicated that there has been a significant decrease in the number of cases of sexual violence reported to the General Inspector for Education and that, of the nine cases reported in 2012, four were brought to court and five were resolved through traditional mechanisms (para. 201). Please provide information on the measures taken by the State party to encourage women and girls to report sexual violence in educational institutions to the police and to ensure that the application of traditional mechanisms does not violate the rights of victims nor result in impunity for perpetrators. Please explain why public servants working in the education system who are perpetrators of sexual violence are merely transferred to other schools. Please also provide updated information on the number of reported cases of sexual violence in schools and the sanctions imposed on perpetrators and indicate the time frame for enacting the zero tolerance for violence policy (para. 199).

57. A number of concrete mechanisms already created by the state are acting in order to encourage women and girls to share and report any type of violence against them suffered at school or on the way to school, including sexual violence. These

[39] MoE response to CEDAW Committee list of issues.

mechanisms include the Office of the General Inspector for Education (GIE), but also the National Commission for Child Rights within the MoJ as well as the National Directorate for Child Protection within MSS. In particular, the Office of the General Inspector for Education (GIE) conducts investigations and collect data concerning sexual assault and harassment suffered by girls and boys at all levels of education. According the referral network system, the GIE can count on PNTL-VPU, as well as national hospital to provide assistance to victims of violence at school.

58. There is currently one inspector for every 10 schools with 3 specific tasks: provide counselling to students during the learning process at school, monitor the budget execution by each school, and assess the administration management of each school. The works of the Inspectors are vital to the advancement of educational system and possible Ministry's policy reorientation for education in Timor-Leste.[40]

59. As stated in the report, through the "zero tolerance" policy adopted by the MoE, together with socialization campaigns organized by the above stated institutions in charge of child protection and the socialization of the LADV, girls and boys victims of violence at school are incited to report their cases and lodge a complaint to the inspector.

60. The government is working in good collaboration with Civil Society organizations (such as PRADET) to provide assistance to victims of DV that suffer of trauma and medical examination. Other organizations (such as Fokupers and Alfela) provide also legal assistance and shelters for victims if they need.[41]

61. As the 2014 Country Gender Assessment is noting, "Zero tolerance policy" still faces challenges in its implementation and identified a number of challenges that need to be addressed for an effective implementation:

i. Developing and disseminating standard operating procedures for reporting, investigating, and prosecuting cases of violence to all schools, education facilities, teaching staff, students, and community;

ii. Provision of safe transportation and a safe school environment;

iii. Ensuring the reported cases are adequately investigated and perpetrators are appropriately reprimanded (not just moved to another school as recommended by the CEDAW Committee);

iv. More in-depth analysis on the types, extent, and underlying causes of violence in and around schools; and

v. monitoring and evaluating progress in policy implementation.[42]

62. Regarding the sanction issue, where the teacher is the perpetrator, cases should be referred to the Civil Service Commission (CSC), which is responsible for initiating disciplinary procedures and has a range of options for disciplinary action, including dismissal, fines, and suspension. However, as the MoE doesn't have yet specific or internal rule imposing CSC disciplinary procedures, internal disciplinary

[40] Ibid.
[41] MoE response to CEDAW Committee list of issues, June 2015.
[42] TL 2013 CGA, p. 30.

solutions are often prioritized with transfers to another school or office typically applied.[43]

63. There is no updated information on the number of reported cases of sexual violence in schools and the sanctions imposed to perpetrator at the date of writing.

Employment

Please provide information on the progress made towards ratification of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100), of the International Labour Organization. Please indicate measures taken to adopt a gender-sensitive employment policy in the informal sector, including maternity protection (para. 211). Please provide information on measures taken to curb discrimination against women in recruitment and promotion, given that in the reports it is stated that women need higher qualifications than men to attain the same decision-making positions (paras. 223 and 236). Please describe measures taken to promote the equal representation of women in senior managerial positions in the private sector.

64. Information is missing regarding the status of ratification of Discrimination Convention (n°111) and the Equal Remuneration Convention (n°100).

65. The Government of Timor-Leste considers private sector development key for economic growth and sustainable economic development. Gender mainstreaming in private sector is thus crucial to ensure that gender differences are taken into account and that businesswomen and men in Timor-Leste are able to expand opportunities to participate in, benefit from, and contribute to economic development. A National Strategy for Gender and Private Sector, to be implemented during the period from 2014 to 2017, was therefore adopted and aims to contribute towards economic inclusion, that is, the process of overcoming barriers to men and women participating in or contributing fully to the economic system.

66. The assessment conducted for the elaboration of the gender and private sector strategy through wide consultations with key stakeholders and available secondary information and data, and the related problem analysis, identifies 5 areas where interventions are needed and where the Strategy and its action plan are focused and will be executed. These include: 1. Institutional framework and business enabling environment, including lack of dialogue and coordination between the public and the private sectors; 2. Access to credit and financial services, in particular for micro and small entrepreneurs; 3. Access to Business Development Services (BDS) and information; 4. Market's access for products and services; 5. Access to formal network for women entrepreneurs.

67. Primary goals of the Strategy and Action Plan are to ensure that the needs of women entrepreneurs are better catered for alongside men's, at districts and at national level. It further aims to guarantee a gender sensitive approach in private sector development through an enhanced collaboration of key stakeholders in Timor-Leste.[44]

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[43] MoE response to CEDAW Committee list of Issue, June 2015.

[44] National Strategy and Action Plan for Gender and Private Sector 2014-2017, State Secretary for the Support and Promotion of the Private Sector, supported by ILO, Irish Aid and NZ AID, 2014.

68. As the leading institutions which initiated the elaboration of the Strategy and Action Plan disappeared after the recent government's reshuffle quickly after the strategy was established, the new Secretary of State for the Support and Socio-Economical Promotion of Women (SEM), supported by UN Women, will be in charge to support SEPFOPE, IADE and other relevant secretary of states and ministries to incorporate gender into their policies and laws and promote women's participation in private sector.

Health

Please provide updated information on steps taken to address the specific concerns expressed by the Committee in its previous concluding observations (CEDAW/C/TLS/CO/1, para. 38) and that the Committee considered either not to have been implemented or to have been implemented only partially or in regard to which it considered that it did not receive sufficient information, in accordance with its follow-up letter of 19 March 2013. Please provide information on the steps taken to ensure that all maternal deaths occurring in the State party are reported through the Health Management Information System. Please describe measures taken to ensure that affordable contraceptives and family-planning services are widely available (para. 269).

69. In order to improve maternal death data collection, the Ministry of Health (MoH) has been working for the establishment and generalisation of the Health Management Information System (SIJS — *Sistema InformasaunbaJestaunSaude*) at the national level to all health facilities including national hospital, referral hospital, local health services, health centre and finally health posts. In 2014, further to the SIJS, the MoH established a Maternal Death Surveillance and Response System at the National Hospital and Referral Hospitals with main objective to prevent maternal mortality as well as child mortality.

70. On the other hand, MoH is also planning to establish a new 'Verbal Autopsy' programme adapted to rural context in order to facilitate the identification of probable maternal mortality causes in the community in case there is no medical record or formal medical care available.

71. Regarding the provision and availability of contraceptives and family-planning (FP) services, the MoH established and implements a Logistic Management Information System (LMIS) at the national and local level in order to avoid stock out and make sure the availability of contraceptives and FP services at all levels of health facilities. The MoH is also conducting advocacy and awareness rising at community level for the promotion and education regarding health and FP.[45]

Please indicate the steps taken by the State party to review its legislation on abortion, with a view to removing punitive measures imposed on women who undergo abortion (para. 38). Please also indicate whether the State party has withdrawn the requirement that a woman's partner needs to be heard in order to perform an abortion legally. Please describe any steps taken to decriminalize abortion in case of threats to the life or health of the pregnant woman, rape, incest and severe impairment of the foetus.

[45] Response of the MoH to the List of Issue of the CEDAW Committee, June 2015.

72. To date, the State didn't initiate yet any legislative process for the revision of the legal framework regarding abortion.[46]

Rural women

Please provide information on measures taken to design and implement gender-sensitive rural development strategies and programmes, ensuring the full participation of rural women in their formulation and implementation. Please describe measures taken to ensure that rural women have access to health services (including sexual and reproductive health services), education, clean water, electricity and income-generating projects.

73. The Government of Timor-Leste, the United Nations Development Programme (UNDP) and the United Nations Capital Development Fund (UNCDF) endorsed a new programme of cooperation which is designed to contribute towards poverty reduction and local development. Known as the Sub-National Governance and Development Programme (2014-2018) (SNGDP) the programme will strengthen institutions for decentralized governance, improve participation, and enhance local capacities to deliver services, particularly to the most vulnerable groups in poor communities in line with the Timor-Leste's Strategic Development Plan 2011-2030 aligns with the Constitutional provision for decentralization. Moreover, SNGDP ensures that proper and full consideration is given to providing women and other disadvantaged groups with greater opportunities to participate in and benefit from programme activities in favour of rural women.[47]

74. As more than 61 per cent of women were employed in agricultural, forestry or fishery occupations according to the recently released 2013 Labour Force Survey,[48] the Ministry of Agriculture (MoA) has been targeted by SEM in 2015 as one of the key ministries (together with ministries of Education, Health, Interior, Social Solidarity, State Administration and SEFOPE — plan for the Ministry of Public Work but not yet done) for a strengthened implementation of Gender Mainstreaming principles and strategies through trainings on how to integrate gender into their Annual Action Plan for 2016 and further. As the final AAPs have to be submitted to the cabinet of the Prime Minister by the end of the month of June, the impact of the training could not have been evaluated yet.

75. With the same preoccupation for rural women, (ex) SEPI initiated in 2014 the elaboration of District Gender Action Plans elaborated by the District Gender Working Groups themselves, comprised of numerous women. These Action Plans comprise programmes and their related budget which are supposed to respond to the specific needs of women and men from each district. Programmes and budgets included in these Action Plans are following the programmes already implemented by the ministries present in the districts through district offices and make sure that they integrate gender in their activities.[49] However, as this scheme is still new, there were not yet monitoring and evaluation implemented on these activities so its

[46] MoH Response to CEDAW Committee list of issue, June 2015.

[47] Joint Programme Document between UNDP, UNCDF and the Ministry of State Administration, 'Sub-National Governance and Development Programme (SNGDP)', Dili, June 2014.

[48] 2013 Labour Force Survey, SEPFOPE, Ministry of Finance and General directorate for statistics, p. 17.

[49] PlanuAsaunJéneruDistrital 2014, SEPI.

impact is still difficult to evaluate and the system still needs to be strengthened in the future.

76. Furthermore, in an important income generating sector in Timor-Leste such as petroleum, MPRM has been putting its effort on ensuring rural women's participation in the local and national development processes. The Suai Supply Base, for instance, women's participation has been considered since the very early stages of the working process. Women have access to information and decision making of Suai Airport. Women are aware of the vantage and disadvantage of the Supply Base developments. Furthermore, MPRM is also provide training and capacity development programs, such as English and Computer Program training course for community in order to ensure that local community, men and women, who are most affected by the development projects, can participate in the work or job in the petroleum industry in Suai. Currently, around 60 per cent of local and rural women are taking part in the training programs.[50]

77. As a sensitive sector for access to facilities for rural women, the Ministry of Public Works, Transport and Communications is also giving a special attention to women's participation in formulation and implementation of policies. As it is already informed in the CEDAW second and third Periodic Report, women's participation in the infrastructure development programs is increasing. In rural infrastructures, women played important role in the GMF (Facility Management Group) of rural water and rural road developments. Women managing the electricity pre-paid data-base and also as technicians in several Central Electric. In the area of transportation and communication, women play important role in navigation and airport tower controller. Also, women take part as managers of transportation office.

78. Thus, measures have been taken by the Ministry of Public Work, Transport and Communication (Ministério das Obras Públicas Transportes e Communicação — MOPTC) to ensure women benefited and participated in all process of rural infrastructure development programs. Some of the concrete examples are including clean water management and rural road or R4D (Road for Development) programme. Women contractors (about 20 per cent or women out of 40 contractors) are taking part in the rural infrastructure service deliveries. These women contractors have attended training on rural road constructions. Furthermore, 30 per cent of working hours are allocated to women. One of MOPTC survey found that 110,000 worked days were made by women between 2013 and 2015. Research on R4D workers in 2014 identified that 45 per cent of women in rural areas declare that their self-esteem has increased and they are confidence enough to make decision in the family. About 46 per cent of women reported that their capacity has been strengthened since they participated in the R4D programs and they are able to participate in works that require physical strength R4D Programme have brought good impact, particularly in the community economic empowerment. MOPTC research found that household incomes increased and multiplied. There are more women starting their small business, while others begin to enlarge the scope of their business. In order to strengthen the economic condition of women, MOPTC provided different kinds of gender sensitive skill trainings to rural women,

[50] Response from the Ministry of Petroleum and Natural Resources (MPRM) to the CEDAW Committee list of issue, June 2015.

infrastructure workers as well as women contractors, including on how to monitor the work on the field.[51]

79. A special measure has been taken to ensure women's access to job opportunity in the R4D programme. Indeed in the recruitment process of R4D workers, 30 per cent of job vacancies must be offered to women and 50 per cent of women's participation must be guaranteed. Beside the quotas, a Working group for Social Security was established within MOPTC in 2013 and played an important role in sharing and disseminating the information, ensuring the inclusion of vulnerable groups, gender equality in the programme's planning, community development and to ensure safety at work for the communities.

80. In water and sanitation area, according to 2015 SIBS report (Water and Sanitation Information System — *SistemaInformasaun Bee no Saneamentu*), women's participation has significantly increased, from 33 per cent in January 2013 to 40 per cent in June 2015. The MOPTC community participation's policy through the community action plans (PAK — *PlanuAsaunKomunidade*) implemented by the BESIK programme fosters women's participation, especially in the water maintenance planning as women always played important role in water management within communities.[52] Moreover, the recruitment of staff in the BESIK programme has gone through a gender sensitive process where MOPTC gave more chance to women, in particular regarding community facilitators at the Administrative Post level.[53]

81. Finally, the government of RDTL is currently drafting a law for the adoption of a Water Supply National Policy (*PolitikaNasionalAbastesimentu Bee*). The bill recognizes women as main water collector and/or main user within the family. Thus, it will guarantee women's participation in the decision making process in the communities.[54]

Women returnees

Please provide information on steps taken to adopt a national policy in line with Security Council resolutions 1325 (2000) and 1820 (2008) and on the formulation and implementation of gender-sensitive plans and programmes for social reintegration, capacity-building and the training of women returnees. Please also provide information on measures taken to ensure that women returnees who have been victims of violence, including sexual violence, have access to immediate means of redress, in accordance with the Committee's previous concluding observations (CEDAW/C/TLS/CO/1, para. 44).

82. The ex SEPI in partnership with UN Women has implemented several programmes/projects and received support such as technical and financial including capacity building through training and regional cross learning exchanges to address issues of gender based violence/domestic violence/SCR1325, CEDAW, etc. With implementation of this project, SEPI as the National Machinery has been committed

[51] Response from the Ministry of Public Works, Transport and Communications to the CEDAW Committee List of Issue, June 2015.

[52] Data from the 2015 Water and Sanitation Information System (SIBS) report.

[53] Response from the Ministry of Public Works, Transport and Communications to the CEDAW Committee List of Issue, June 2015. Data from the 2015 Water and Sanitation Information System report.

[54] Draft Law on Water Supply National Policy, p. 6.

in the last years to advocate for stronger implementation of SCR 1325 and increase women's understanding and participation in conflict resolution/peace building process. SEPI has been the leading since 2012 the implementation of the NAP on GBV that includes issues of SCR 1325 and has been using mainly two strategies in this regard that are i) advocacy and awareness raising activity at political but also community level; and secondly ii) capacity building through workshops for local authorities, district GWG members, PNTL officers to provide advice and support to victims of GBV/SGBV.

83. In addition, the Ministry of Interior (MI) which considers the participation of women in the process of mediation very important, ensured women's participation in peace process by establishing a gender cabinet within the General Directorate for Cooperative Work (*ServisuKooperativa*).

84. MI is also leading the new National Action Plan about the SCR 1325 on Women, Peace and Security. This NAP 1325 is focusing on women refugees, vulnerable women, victims of sexual assault, widows and abandoned women's reintegration within their communities. Additionally, beneficiaries of the NAP 1325 can be grouped into cooperative groups and receive trainings on how to make proposals, look for funding and create income generating activities.[55]

85. MSS has also been involved in the process of community reintegration of women returnees and mainstreamed women through the work of the Department of Peace-Building and Social-Cohesion and cash grants. Its work in partnership with national NGOs contributed to GBV victims' empowerment to reintegrate their communities and start income generating activities such as small businesses.[56]

Marriage and family relations

In the reports it is indicated that the 2011 Civil Code established the legal age of marriage at 17 years (para. 339). Please provide information about steps taken to raise the legal age to 18 years in conformity with the Convention, as previously recommended by the Committee (CEDAW/C/TLS/CO/1, para. 46). It is also indicated that the Civil Code contains a provision that sets the period of time that must pass before a person may remarry after a divorce or the death of a spouse at 180 days for men and 300 days for women (art. 1494) (para. 357). Please provide information about any plans to revise that provision, which discriminates against women.

86. To date, the State didn't initiate yet any legislative process for the revision of the Civil Code regarding the revision of the legal age of marriage nor for the inter-nuptial time which has been thought to secure women's situation. 300 days is provided to women from the day the divorce is decided, in order to prove to the court that she is not pregnant before getting remarried. The objective of this law is to provide legal protection to the woman herself, the child's identity and the biological identity of the father according to the concrete medical analysis abilities in the country, especially in rural areas.[57]

In the reports it is stated that the Civil Code recognizes three forms of marriage under article 1475 (1), i.e. civil, catholic or traditional (para. 336).

[55] Ministry of Interior's response to CEDAW Committee list of Issues, June 2015.
[56] MSS response to CEDAW Committee list of issues, June 2015.
[57] MoJ response to CEDAW Committee list of issues, June 2015.

Please indicate the extent to which women enjoy equal rights with men in marriage and upon the dissolution of marriage. Please provide information about measures taken to promote marriage and birth registration, especially in rural areas. Please also provide information about measures put in place to prevent child and forced marriage.

87. The current applicable law regarding civil registration is included within the Civil Code and provide compulsory registration of all marriages (art. 1538) as already stated in the report, including for religious and traditional marriage. However a new draft law, currently in the public consultation process is being considered in order to adapt the existing civil legislation to the constitutional principles, particularly the principle of equality between men and women and the bureaucracy of public administration by bringing services closer to citizens. Thus, this draft law promotes the use of new information technologies with a view to facilitate the lives of citizens through less bureaucratic procedures. The draft law was also revised by the Gender and Legal Working Group and received also significant comments and recommendation for its compliance with CEDAW principles and other human rights treaties.

88. The diversion of the registration procedures by transferring powers from the courts to the registry offices, in some cases to just-statement and in a few cases for the decision in these processes contribute to the reduction of judicial proceedings and improved access to justice, which is still one of the priorities of this VI Constitutional Government.[58]

89. Before the law is passed, in accordance to the current applicable law, MoJ established a civil registry that includes transcription of non-Catholic marriages in and marriages of nationals outside the territory. This work is organized through the National Directorate for Civil Registry (*Diresaun Nasional Registu Notariado (DNRN)*) within MoJ. Currently, Civil Registry offices (*Kartorial Notariado*) have been established in 5 districts, namely Dili, Baucau, Ermera, Suai and Oecusse, and it includes *Konservador distrital* in all the 5 municipals. 15 notary students are currently following the specific training program within the Legal Training Centre.

90. In terms of birth registration, a cooperation and coordination line has been established between DNRN-(MoJ), MoH and MAE to facilitate the registration of new born. Registration is done at the Suco Health Centres. Suco chief and chief of Aldeias are taking part to the process. DNRN officials then collect the list of new born. A mobile registry is also established within the DNRN particularly to reach out most remote areas. In order to prevent early pregnancies, early and forced marriages, the 3 line ministries are collaborating to disseminating information on healthy marriage and healthy pregnancy, including socialization of the Timor-Leste Civil Law in all districts.[59]

Access to land and property

Please provide updated information on the progress made towards adopting the draft expropriation law, the real estate financial fund and the special regime for the definition of ownership of immovable property. Please indicate the extent to which those laws ensure that women have equal rights to land and

[58] Draft Law for a Civil Registration Code — Public Consultation Version, 2014.

[59] MoJ Response to CEDAW Committee list of Issue, June 2015.

property and explain the relationship between the laws and customary law and practices. Please provide information on measures taken to promote joint land titles and to ensure that customary mediation and land dispute resolution efforts protect the rights of women, including those in de facto partnerships, on an equal basis with men.

91. The current draft Land law and expropriation as well as the draft for Real Estate Financial Fund Law have been submitted to the Council of Ministers in Mach 2015. They are expected to be approved by the National Parliament by end of this year. These bills recognize women's rights to land and provide women opportunity to run business in their own land. Currently, the National Directorate for Land and Property of MoJ is conducting a nationwide cadastral survey through the recent National Cadastral System (*Sistema Cadastral Nacional* — SCN) to help communities to identify their land boundaries as well as to prevent uncontrolled land conflicts between communities. SCN is a gender sensitive process, where men and women are equally present in the decision making process of determining their land boundaries as well as in claiming any land disputes.[60]

Data collection and analysis

Please provide updated information on efforts to systematize the collection of sex-disaggregated data on all forms of violence against women, including domestic violence, as previously requested by the Committee (CEDAW/C/TLS/CO/1, para. 30), and on the exploitation of women in prostitution or trafficking. Please describe studies and surveys conducted on the prevalence and causes of the exploitation of women and girls in the State party. Please provide information on steps taken to put in place a system to collect data on all aspects of women's health, including the monitoring of concrete impact, as previously requested by the Committee (ibid., para. 38).

92. Regarding DV data collection, The DNRS of MSS' system of GBV data collection is organized monthly and classified based on number of GBV cases, day of incident and day of reporting, forms and types of violence, age of victims and perpetrators, place/location, the relationship between victim and perpetrator, number of assistance provided to victim after incident (either medical assistance, stay in shelter, legal assistance or VPU intervention).[61]

93. MOPTC is also paying special attention to data collection. The ministry is especially looking at the impact of infrastructure development to men and women in the district level, Suco and Aldeia level in rural areas. Data collection is organized based on sex, age and geographic differences. MOPTC is also conducting a research on the impact of rural and district infrastructure development to women's and community's life. Qualitative and qualitative method is applied. The research is focusing on district and rural workers at all level, with special attention on their daily economic activities. The outcome of this research is to have a community profile finalized by 2015.[62]

[60] Response from MoJ to CEDAW Committee list of issue, June 2015.
[61] MSS response to CEDAW Committee list of issue, June 2015.
[62] MOPTC response to CEDAW Committee list of issue, June 2015.

94. No further studies or surveys were conducted since the 2004 Alola Foundation's research already mentioned in the previous CEDAW reports regarding the prevalence and causes of exploitation of women and girls in Timor-Leste.

Amendment to article 20 (1) of the Convention

Please indicate what progress has been made towards the acceptance of the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

95. [No information on this issue].